

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figure 1.

In particular, the legend "Prior Art" has been added.

REMARKS

Claims 1-20 were pending. Claims 10-20 are withdrawn, claims 1-9 stand rejected, and claims 8 and 9 stand objected to. By virtue of this response, claims 1, 4, 8, and 9 have been amended, claims 5 and 10-20 have been cancelled and claims 21 and 22 have been added. Support for the amendment to the claims is found, for example, in paragraphs [0025] to [0029] of the present application. Accordingly, claims 1-4, 6-9, 21, and 22 are currently under consideration.

For the Examiner's convenience, Applicants' remarks are presented in the same order in which they were raised in the Office Action.

Drawing Objections

Figure 1 stands objected to because it should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. In response, Applicants have amended Figure 1 as suggested and request the objection be withdrawn.

Claim Objections

Claims 8 and 9 stand objected to because they improperly include characters within parentheses. In response, Applicants have amended claims 8 and 9 accordingly and request the objection be withdrawn.

Claim Rejections under 35 U.S.C. § 101

Claims 1-9 stand rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Examiner, addressing primarily claim 1, states that claim 1 is drawn to an abstract idea and/or mental process because "claim 1 recites (in part) 'comparing the first and the second stability ratios.'" (Emphasis added.)

Applicants initially point out that the rejection under 35 U.S.C. § 101 refers only to a portion of claim 1; however, it is clear that the analysis required under 35 U.S.C. § 101 (see, e.g.,

MPEP § 2106) is of the claim as a whole rather than selected elements or parts thereof. For example, the portion of MPEP § 2106 cited by the Examiner, and included on page 3 of the Office Action, clearly states that “a process consisting solely of mathematical operations, i.e., converting one set of numbers into another set of numbers, does not manipulate appropriate subject matter and thus cannot constitute a statutory process.” Further, MPEP § 2106 states that “[o]nly when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under 35 U.S.C. 101.” Accordingly, the analysis of claim 1 must be based on the claim as a whole and whether such claim is directed to a practical application in the technological arts.

As indicated herein, Applicants have amended claim 1 to now recite:

1. A method for designing a fluid dynamic bearing system, comprising:

determining a first performance characteristic for a first journal bearing configuration having one or two sub-journal bearings;

determining a second performance characteristic for a second journal bearing configuration having at least three sub-journal bearings, wherein each of the at least three sub-journal bearings provide radial stiffness; and

implementing the second journal bearing configuration if the second performance characteristic is improved relative to the first performance characteristic.

Applicants assert that the claim, as a whole, is more than a mere abstract idea and/or mental process and is clearly drawn to a useful, concrete, and tangible result, which has practical application and “real world” value. (see MPEP § 2106) For example, claim 1 as amended recites a method for designing a fluid dynamic bearing system including implementing a second journal bearing configuration based on determined performance characteristics. More particularly, the recited features of claim 1 provide for determining first and second performance characteristics for different journal bearing configurations and implementing a configuration having at least three sub-journal bearings if the second performance characteristic is improved relative the first performance characteristic. Accordingly, claim 1 (at least as amended) is clearly useful for the practical

application of designing and implementing fluid dynamic bearing systems, and is not merely an abstract idea or mental process.

Therefore, Applicants assert that the method of claim 1 is drawn to statutory subject matter and the rejection to claim 1 has been overcome. Applicants also assert that dependent claims 2-9, 21, and 22 are also drawn to statutory subject matter for at least the reason that they depend from claim 1.

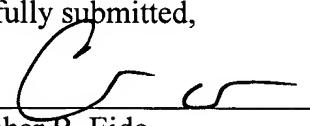
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 146712017300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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